

1 Q. And they purchased the Vermont talc
2 mines in southern Vermont from a company called
3 Eastern Magnesia, correct?

4 A. Eastern Magnesia Talc Company.

5 Q. And then, in about 1967, Johnson &
6 Johnson started using talc from Vermont for its baby
7 powder, correct?

8 A. Yes.

9 Q. And they continued to use the talc for
10 baby powder and Shower to Shower, throughout the
11 1970s, throughout the 1980s, throughout the 1990s,
12 until about 2003, correct?

13 A. Correct.

14 Q. And just so I'm -- I'm clear, Shower
15 to Shower and -- in the 1970s and 1980s, was sourced
16 from the same mine that baby powder was, correct?

17 A. Yes.

18 Q. And you told us just a few minutes ago
19 that baby powder, Johnson & Johnson, the big company,
20 had the baby powder as part of -- until 1979, where
21 they created what's now called J&J Consumer, correct?

22 A. Yes. It became part of a separate
23 company within -- within Johnson & Johnson.

24 Q. Johnson & Johnson consumer --
25 Johnson & Johnson formed a company and sort of spun

1 off its Baby Products division into a different
2 subsidiary, correct?

3 A. That's my understanding, correct.

4 Q. But you told me in your deposition
5 with regards to Shower to Shower, Johnson & Johnson
6 the mothership, always had the Shower to Shower until
7 they sold it in 1995, correct?

8 A. What you describe as the mothership is
9 the -- the main Johnson & Johnson.

10 Q. The main Johnson & Johnson.

11 A. Yes. Yes. It was still part of
12 Johnson & Johnson, but my understanding, or maybe I
13 didn't make it clear, was that it was -- that division
14 was separated out into the consumer products.

15 Q. In your deposition, you testified
16 under oath that Johnson & Johnson owned Shower to
17 Shower until they sold it to another company, correct?

18 A. It was sold to Valiant, another
19 company, from -- from Johnson & Johnson, yes.

20 Q. And what year was it sold to Valiant,
21 I may have misstated the date, it wasn't '95, I was
22 thinking of Colgate stuff, was it 2015?

23 A. 2012 was it?

24 Q. 2012?

25 A. Around about there, yeah.

1 Q. So Johnson & Johnson was the
2 manufacturer and the seller of the Shower to Shower
3 product all the way through the '70s, '80s, '90s, all
4 the way till it sold to Valiant in 2012, correct?

5 A. The main -- the main -- what you call
6 mothership, the main Johnson & Johnson, was -- was the
7 main owner of the Consumer Products company, but like
8 I said a little while ago, my understanding is that
9 the Shower to Shower section was put into a separate
10 division, or separate company, under Johnson & Johnson
11 in the early '70s.

12 Q. We'll come back to that. We'll come
13 back to that because in your deposition -- you
14 remember testifying?

15 A. I do, and again, maybe I -- maybe I
16 didn't speak clearly or maybe I didn't understand the
17 question, but it's -- it was still part of Johnson &
18 Johnson, which you call the mothership, until it was
19 sold to Valiant, I think it was 2012.

20 Q. Johnson & Johnson corporate, the main
21 mother -- what I call the mothership in New Brunswick,
22 made all the health and safety policy decisions with
23 regard to asbestos and talc products, correct?

24 A. I'm not -- I'm not sure where -- where
25 the separation. The --

1 Q. You're not sure?

2 A. The responsibility for making the
3 decisions was with the individual company that was
4 separated out, either Consumer Products, Baby
5 Products.

6 Q. You recall testifying last Monday in
7 New Jersey?

8 A. Yes.

9 Q. And last Monday in New Jersey, on
10 July 22nd, you were sworn to tell the truth, were you
11 not?

12 A. Yes.

13 Q. And last Monday, you were being
14 examined by an attorney named Mr. Panatier, correct?

15 A. Yes.

16 Q. And Mr. Panatier, last Monday, asked
17 you this question: Johnson & Johnson Corporate in New
18 Brunswick --

19 MR. DUBIN: Objection.

20 THE COURT: You want to approach?

21 (BENCH CONFERENCE)

22 Q. Isn't it true, Dr. Hopkins, that
23 Johnson & Johnson, in New Brunswick, made all the
24 health and safety policy decisions with regard to
25 asbestos and talc products, correct?

1 A. That is my understanding.

2 Q. And they made those health and safety
3 decisions about asbestos and talc for all the global
4 companies, correct?

5 A. The --

6 Q. Is that correct?

7 A. You need to define what you mean by
8 Johnson & Johnson New Brunswick.

9 Q. The parent company.

10 A. The parent company is a legal entity.

11 Q. That's right.

12 A. They -- the subsidiary companies are
13 those that are called Consumer Products. They were
14 the ones who made the decision.

15 Q. Okay. The parent company in New
16 Jersey is the one that made all the corporate
17 decisions regarding asbestos, talc, health and safety
18 decisions for all the global companies, correct?

19 A. We're getting into semantics of what
20 you mean by parent company. The decisions on the
21 safety of talc were made by the individual operating
22 companies, which would be, in this case, Consumer
23 Products, which is a separate company within, as you
24 call it, the mothership, the parent company.

25 Q. Well, turn to Page 20, lines 6 through

1 12. Let me know when you're there.

2 A. We're there.

3 Q. And last Monday, eight days ago, you
4 raised your hand and swore to tell the truth, did you
5 not?

6 A. Absolutely, yes.

7 Q. And you did tell the truth, did you
8 not?

9 A. That's my understanding, yes.

10 Q. And you were asked this question, 6
11 through 12.

12 MR. SATTERLEY: Request for permission
13 to read, Your Honor.

14 THE COURT: Mr. Dubin, any objection?

15 MR. DUBIN: I'm sorry, page what?

16 MR. SATTERLEY: Page 20.

17 THE COURT: Page 20, 6 through 12.

18 MR. DUBIN: This just doesn't make
19 sense to me. It appears to start in the middle of a
20 question.

21 MR. SATTERLEY: No. Page -- Page 20,
22 I apologize. Lines 11 through 17.

23 MR. DUBIN: Of Page 20?

24 MR. SATTERLEY: Of Page 20.

25 MR. DUBIN: Okay. No objection.

1 Q. The question posed to you under oath
2 in New Jersey eight days ago:

3 "QUESTION: Johnson & Johnson
4 Corporate in New Brunswick made all health and safety
5 policy decisions with regards to asbestos in talc
6 products, correct?

7 "ANSWER: The -- yes. The company in
8 New Jersey is the parent company for all the global
9 companies made those decisions, yes."

10 That was your sworn testimony?

11 A. Yes. The company -- the corporate in
12 New Jersey is the parent company, yes.

13 Q. And the testing, the whole process of
14 testing for talc for the presence of asbestos was done
15 by the corporate parent, Johnson & Johnson, correct?

16 A. I'm sorry, where are you reading?

17 Q. I'm not reading.

18 A. Oh, right.

19 Q. I'm asking you a different question.

20 A. Oh, sorry. Ask the question again,
21 please.

22 Q. Yes. You can put that transcript
23 aside.

24 A. Thank you.

25 Q. The whole worldwide testing program,

1 testing for the presence of asbestos, was run by
2 Johnson & Johnson Corporate, correct?

3 A. The testing program, worldwide
4 testing, was run by the Baby Products company, the
5 testing program.

6 Q. From -- before 1979?

7 A. You're talking about before 1979? No.
8 The Baby Products company was set out from 1979
9 onwards.

10 Q. All right. So the -- just so the
11 record is clear, the parent company, before 1979, was
12 in charge of worldwide testing for the presence of
13 asbestos in all talc product, correct?

14 A. That is my understanding.

15 Q. And is it your testimony now, in 1979,
16 the Consumer Products company did the worldwide
17 testing with regards to baby powder, but not Shower to
18 Shower?

19 A. Baby Products company evaluated the
20 safety of talc on a global basis.

21 Q. After 1979?

22 A. Yes.

23 Q. We'll come back to Shower to Shower in
24 a little bit. You have the ability, if you wanted to,
25 to go through Johnson & Johnson's database production,